

Message Text

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C O N F I D E N T I A L STATE 035275

FOR AMBASSADOR PEZZULLO

E.O. 11652: GDS

TAGS: SHUM, UY

SUBJ:
A LETTER TO PRESIDENT MENDEZ CONCERNING
A PROPOSED MISSION
REF: STATE 30503

1. FOLLOWING IS THE TEXT OF THE LETTER DATED FEBRUARY 7
TO PRESIDENT MENDEZ FROM ADRIAN W. DEWIND, PRESIDENT
OF THE ASSOCIATION OF THE BAR OF THE CITY OF NEW YORK
BEING POUCHED TO THE AMBASSADOR FOR TRANSMITTAL TODAY.

2. MR DEWIND ALSO WROTE TO AMBASSADOR PEREZ CALDAS
ON FEBRUARY 8 ADVISING HIM OF THE PROPOSED TRIP.
BEGIN TEXT.

DEAR MR. PRESIDENT:
ON FEBRUARY 24, 1975, THE HOUSE OF DELEGATES OF THE
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AMERICAN BAR ASSOCIATION ADOPTED A RESOLUTION REAFFIRMING
ITS SUPPORT FOR THE RULE OF LAW IN THE INTERNATIONAL
COMMUNITY AND ITS RECOGNITION AND NEED FOR AN INDEPENDENT
JUDICIARY AND FOR THE INDEPENDENCE OF LAWYERS AS INDIS-
PENSIBLE INGREDIENTS IN THE MAINTENANCE OF THE RULE OF LAW
IN ALL JURISDICTIONS.

OUR ASSOCIATION IS FULLY COMMITTED TO THIS PRINCIPLE AND,
INDEED, IS ANXIOUS TO DO WHAT WE CAN TO HELP OUR FELLOW

LAWYERS CARRY OUT THEIR PROFESSIONAL OBLIGATIONS TO THEIR
CLIENTS.

MR. PRESIDENT, WE HAVE RECENTLY LEARNED THRO'GH PRESS
REPORTS OF THE ARRESTS OF FOUR URUGUAYAN LAWYERS --
DR. RODOLFO SCHURMANN PACHECO, DR. FRAGA, DR. EMILIO
BIASCO AND DR. HUGO FAORI. SINCE IT IS VERY DIFFICULT
FOR US TO DOCUMENT ALL THE RELEVANT FACTS, WE HAVE
DECIDED TO REQUEST OF YOU AND YOUR GOVERNMENT PERMISSION
TO SEND A SMALL MISSION COMPOSED OF TWO WELL-KNOWN
MEMBERS OF THE LEGAL COMMUNITY TO INQUIRE OF THE FACTS
AND CIRCUMSTANCES SURROUNDING THESE ARRESTS AND
INCARCERATIONS.

OUR PRIMARY CONCERN IS THE LIMITED ONE OF THE INDEPENDENCE
OF THE LEGAL PROFESSION, THE INDEPENDENCE OF THE
JUDICIARY AND THE RIGHT OF CRIMINAL DEFENDANTS TO LEGAL
COUNSEL AND DEFENSE. WE HAVE SELECTED WILLIAM J. BUTLER
OF THE NEW YORK BAR AND LUIS REQUE OF THE BOLIVIAN BAR
TO CARRY OUT THIS ASSIGNMENT. THEY WOULD LIKE TO BE
ABLE TO ARRIVE IN MONTEVIDEO ON MONDAY, MARCH 13, 1978.
MR. BUTLER, A PROMINENT NEW YORK ATTORNEY, IS A MEMBER
OF OUR ASSOCIATION AND FORMER CHAIRMAN OF OUR
COMMITTEE ON INTERNATIONAL HUMAN RIGHTS. HE IS ALSO
CHAIRMAN OF THE AMERICAN BAR ASSOCIATION'S SUB-COMMITTEE
ON THE INDEPENDENCE OF LAWYERS IN FOREIGN JURISDICTIONS.
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MR. REQUE IS A MEMBER OF THE BOLIVIAN BAR AND FORMER
SECRETARY GENERAL OF THE INTER-AMERICAN HUMAN RIGHTS
COMMISSION.

WE RESPECTFULLY REQUEST THAT YOU EXTEND TO THEM THE
COURTESIES OF THE URUGUAYAN GOVERNMENT AND THAT THEY
MAY BE ALLOWED TO APPROACH APPROPRIATE AUTHORITIES
SUCH AS THE FOREIGN MINISTER, THE MINISTER OF JUSTICE,
THE PRESIDENT OF THE COURT OF JUSTICE, THE PRESIDENT OF
THE SUPREME MILITARY COURT AND THE PRESIDENT OF THE
SOCIETY OF LAWYERS.

AS FELLOW LAWYERS, I AM CONFIDENT WE SHARE A COMMON
CONCERN FOR THE PROTECTION OF THE INDEPENDENCE OF THE
LEGAL PROFESSION AND RECOGNIZE OUR DEEP OBLIGATION TO
ASSURE OUR BROTHERS OF OUR SUPPORT IN AIDING THEM TO
CARRY OUT THEIR PROFESSIONAL OBLIGATIONS TO THEIR CLIENTS.
WE RESPECTFULLY SEEK YOUR KIND COOPERATION IN MAKING
THIS VISIT A MUTUALLY SUCCESSFUL ONE.

YOURS MOST RESPECTFULLY,
ADRIAN W. DEWIND (SIGNED)

END TEXT.

VANCE

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NNN

*** Current Handling Restrictions *** n/a

*** Current Classification *** CONFIDENTIAL

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